



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/992,934

11/05/2001

Sung-Jin Kim

678-711 (P9667)

9174

28249

7590

10/15/2004

DILWORTH & BARRESE, LLP
333 EARLE OVINGTON BLVD.
UNIONDALE, NY 11553

EXAMINER

PHAM, TUAN

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 10/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/992,934

Applicant(s)

KIM, SUNG-JIN

Examiner

TUAN A PHAM

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-4, 6-7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (U.S. Patent No.: 6,748,195) in view of Watanabe et al. (U.S. Patent No.: 6,731,939, hereinafter, "Watanabe").

Regarding claim 1, Phillips teaches a method of sharing data with a slave using Bluetooth.TM wireless communication by a portable phone equipped with a Bluetooth.TM module, where the portable phone acts as a master, comprising the steps of (see figure 1):

receiving the data from a mobile communication system and storing the received data (see figure 1, internet 16, figure 3, storage 306, col.5, ln.35-47, col.6, ln.10-15),

determining whether to transmit the data to the slave by Bluetooth.TM wireless communication (see figure 1, col.4, ln.1-24), and

converting the data to data packet for Bluetooth.TM communication when it is determined that the data is to be transmitted to the slave (see col.4, ln.1-44, link controller interface convert the baseband protocols).

It should be noticed that Phillip fails to clearly teach determining whether the master is connected to the slave by a first ACL (Asynchronous ConnectionLess) link or an SCO (Synchronous Connection-Oriented) link, establishing a second ACL link and transmitting the data packet to the slave on the established ACL link if it is determined that the ACL link connects the master and the slave, and establishing an ACL link and transmitting the data packet to the slave on the established ACL link if it is determined that the SCO link connects the master and the slave. However, Watanabe teaches such features (see Figure 10, figure 11, col.9, ln.27-67, col.10, ln.1-43) for a purpose of transferring the information within the piconet.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of determining whether the master is connected to the slave by a first ACL (Asynchronous ConnectionLess) link or an SCO (Synchronous Connection-Oriented) link, establishing a second ACL link and transmitting the data packet to the slave on the established ACL link if it is determined that the ACL link connects the master and the slave, and establishing an ACL link and transmitting the data packet to the slave on the established ACL link if it is determined that the SCO link connects the master and the slave, as taught by Watanabe, into view of Phillips in order to transfer the data from this device to other device by wireless fashion.

Regarding claim 3, Phillips further teaches the method wherein the data is Internet data (see col.3, ln.19-32).

Regarding claims 4 and 7, Phillips teaches a method of sharing information with a slave in a first piconet in a portable phone equipped with a Bluetooth.TM module that is a master in the first piconet and a slave in a second piconet, (see figure 1) comprising the steps of:

receiving data from a mobile communication system and storing the received data (see figure 1, internet 16, figure 3, storage 306, col.5, ln.35-47, col.6, ln.10-15),

determining whether to transmit the data to the slave of the first piconet by Bluetooth.TM wireless communication (see figure 1, col.4, ln.1-24), and

converting the data to data packet for Bluetooth.TM communication when it is determined that the data is to be transmitted to the slave of the first piconet (see col.4, ln.1-44, link controller interface convert the baseband protocols).

It should be noticed that Phillip fails to clearly teach determining whether the portable phone is connected to the slave of the first piconet by an ACL (Asynchronous ConnectionLess) link or an SCO (Synchronous Connection-Oriented) link; establishing another ACL link and transmitting the data to the slave of the first piconet on the established ACL link if it is determined that the ACL link connects the portable phone and the slave of the first piconet; and establishing an ACL link and transmitting the data packet to the slave of the first piconet on the established ACL link if it is determined that the SCO link connects the portable phone and the slave of the first piconet. However, Watanabe teaches such features (see Figure 10, figure 11, col.9, ln.27-67, col.10, ln.1-43) for a purpose of transferring the information within the piconet.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of determining whether the portable phone is connected to the slave of the first piconet by an ACL (Asynchronous ConnectionLess) link or an SCO (Synchronous Connection-Oriented) link; establishing another ACL link and transmitting the data to the slave of the first piconet on the established ACL link if it is determined that the ACL link connects the portable phone and the slave of the first piconet; and establishing an ACL link and transmitting the data packet to the slave of the first piconet on the established ACL link if it is determined that the SCO link connects the portable phone and the slave of the first piconet, as taught by Watanabe, into view of Phillips in order to transfer the data from this device to other device by wireless fashion.

Regarding claims 6 and 9, Phillips further teaches the method wherein the data is Internet data (see col.3, ln.19-32).

3. Claims 2, 5, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (U.S. Patent No.: 6,748,195) in view of Watanabe et al. (U.S. Patent No.: 6,731,939, hereinafter, "Watanabe") as applied to claims 1, 4, and 7 above, and further in view of Bell (U.S. Patent No.: 6,660,902).

Regarding claims 2, 5, and 8, Phillips and Watanabe, in combination, fails to clearly teach the data is an SMS (Short Message Service) message. However, Bell teaches such features (see col.2, ln.53-61) for a purpose of transferring the information via wireless fashion.

Art Unit: 2643

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the data is an SMS (Short Message Service) message, as taught by Phillips and Watanabe, into view of Bell in order to receive the data or information at any time or anywhere.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Park et al. (U.S. Patent No. 6,751,273), Lunsford et al. (U.S. Patent No. 6,614,350), Sorensen (Pub. No.: US 2002/0061009), Van Der Tuijn et al. (U.S. Patent No.: 6,683,886), and Aiello et al. (Pub. No.: US 2002/0018458) are not applied into this Office Action; they are also called to Applicants attention. They may be used in future Office Action(s). These references are also concerned for supporting the system and method for providing data and voice services on wireless communication system, and Bluetooth communication unit.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (703) 305-4987. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz can be reached on (703) 305-4708 and

Art Unit: 2643

**IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE
CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

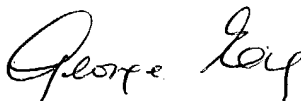
Or faxed to: (703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-305-4700).

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should
you have question on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2643
October 8, 2004
Examiner

Tuan Pham


GEORGE ENG
PRIMARY EXAMINER